REGISTERED No. M. 7463.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VII] Trivandrum, Wednesday, 10th October 1962 / 18th Asvina 1884 [No. 143

NOTIFICATION

No. 5029|LA.4|62.

Dated, Trivandrum, 10th October 1962.

The following Bill together with the Statement of Objects and Reasons, is published, as ordered by the Speaker under Rule 67 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Legislature Secretariat,
Trivandrum.

D. TIRUMALAI,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1962.

THE KERALA LAND RELINQUISHMENT (AMENDMENT) BILL, 1962

A

BILL

to amend the Kerala Land Relinquishment Act, 1958.

Preamble.—WHEREAS it is expedient to amend the Kerala Land Relinquishment Act, 1958, for the purposes hereinafter appearing;

BE it enacted in the Thirteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Land Relinquishment (Amendment) Act, 1962.

2. *Amendment of Long Title and Preamble.*—In the long Title and Preamble of the Kerala Land Relinquishment Act, 1958 (Act 38 of 1958), hereinafter referred to as the principal Act, the words "by registered holders" shall be omitted.

3. *Amendment of section 2.*—In section 2 of the principal Act,—

(i) for clause (b), the following clause shall be substituted namely:—

"(b) 'relinquishment' means, in the case of any land in the possession of a registered holder, the unconditional surrender by the registered holder of all his rights over the land, and, in the case of any land in the possession of a cultivating tenant, the unconditional surrender jointly by the registered holder, the cultivating tenant and the intermediaries, if any, of all their rights over the land;";

(ii) after clause (c), the following clause shall be inserted, namely:—

"(d) the expressions "cultivating tenant" and "intermediary" shall have the meanings respectively assigned to them in the Kerala Agrarian Relations Act, 1960 (Act 4 of 1961).".

4. *Amendment of section 3.*—Section 3 of the principal Act shall be renumbered as sub-section (1) of that section and, after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) Where any land is in the possession of a cultivating tenant, the registered holder, the cultivating tenant and the intermediaries, if any, of such land may jointly relinquish the same or any portion thereof in favour of the Government, provided that such land or portion of land is free of encumbrances.".

5. *Amendment of section 4.*—In section 4 of the principal Act,—

(i) for sub-section (1), the following sub-section shall be substituted, namely:—

"(1) Where a registered holder or, a registered holder, cultivating tenant and intermediaries, if any, jointly intends

or intend to relinquish any land under section 3, such registered holder or, as the case may be, such registered holder, cultivating tenant and intermediaries, if any, jointly may submit an application in the prescribed form to the Collector of the district in which the land is situate.";

(ii) in sub-section (2), for the words "the registered holder is competent to relinquish and has valid title in the land", the words "the registered holder or, as the case may be, the registered holder, the cultivating tenant and the intermediaries, if any, of the land jointly, is, or are, competent to relinquish, and has or have valid title in the land" shall be substituted;

(iii) for sub-section (6), the following sub-section shall be substituted, namely:—

"(6) The Collector may at any stage of the proceedings reject the application on any of the following grounds, namely:—

(i) that the registered holder, or, as the case may be, the registered holder, the cultivating tenant and the intermediaries, if any, jointly, is not, or are not, competent to relinquish the land;

(ii) that the title of the registered holder, the tenant or the intermediaries, if any, is defective;

(iii) that there are arrears of land revenue due on the land;

(iv) that the land is not accessible except through land not belonging to the Government;

(v) such other grounds as may be prescribed.";

(iv) in sub-section (8), for the words "of the registered holder", the words "of the registered holder, or, as the case may be, of the registered holder, the cultivating tenant and the intermediaries, if any," shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Under the Kerala Land Relinquishment Act, 1958, a land can be relinquished in favour of the Government only if it is in the possession of the registered holder. Lands in the possession of a tenant cannot be relinquished under the Act. Instances have come to the notice of the Government where lands required for construction of roads or for schemes under the Local Development Programme or the N.E.S. Blocks are in the possession of tenants, and the registered holder and the tenants are willing to relinquish such lands. Such relinquishment cannot now be accepted and therefore the lands have to be acquired under the Land Acquisition Act. It is, therefore, considered necessary to amend the Kerala Land Relinquishment Act so as to enable the relinquishment of land under a lease jointly by the registered holder and the tenant.

The Bill is intended for the above purpose.

P. T. CHACKO.

REGISTERED No. M. 7463.

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. VII] Trivandrum, Wednesday, 10th October 1962 / 18th Asvina 1884 [No. 144

GOVERNMENT OF KERALA

Political & Military 'A' Department

NOTIFICATION

No. 70766-A1|62-3|P&M.

Dated, Trivandrum, 10th October 1962.

In pursuance of Rule 5 of the Rules of Business and in supersession of all previous orders issued in regard to distribution of portfolios among the Ministers, the Governor has been pleased to order the following distribution of the business of Government among the Ministers.

By order of the Governor.

K. P. K. MENON,

Chief Secretary.

PRINTED AND PUBLISHED BY THE S.G.P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1962.

I. CHIEF MINISTER

Shri R. Sankar

- General Administration
- Integration
- Planning
- Finance
- Insurance
- Commercial Taxes
- Agricultural Incometax
- Trivandrum City Improvement Trust
- Education
- Stationery & Printing
- Museums, Zoos & Archaeology
- Information & Publicity
- Social Welfare Board
- Stores Purchase
- Subjects not mentioned elsewhere.

II. MINISTER FOR HOME AFFAIRS

Shri P. T. Chacko

- Home (Police, Jails, Elections & Anti-Corruption)
- Law & Legislation
- Administration of Civil & Criminal Justice
- Electricity
- Land Revenue.

III. MINISTER FOR INDUSTRIES & LOCAL ADMINISTRATION

Shri K. A. Damodara Menon

- Industries & Commerce (Handloom & Coir)
- Mining & Geology
- Cement, Iron & Steel
- Local Administration
- Community Development.

IV. MINISTER FOR PUBLIC WORKS

Shri P. P. Ummer Koya

Public Works (Buildings & Communications, Ports & Railways)
Tourism & Tourist Department
Sports & Sports Associations.

V. MINISTER FOR TRANSPORT & LABOUR

Shri K. T. Achuthan

Transport
Labour
Excise
Prohibition.

VI. MINISTER FOR FOOD & AGRICULTURE

Shri E. P. Poulose

Food
Agriculture, Animal Husbandry
Irrigation
Civil Supplies
Co-operation & Dairying.

VII. MINISTER FOR HARIJAN WELFARE

Shri K. Kunhambu

Registration
Harijan Uplift
Housing (Resettlement & Colonisation)
Fisheries.

VIII. MINISTER FOR PUBLIC HEALTH

Shri M. P. Govindan Nair

Health
Ayurveda
Forests
Devaswoms & Charitable Institutions.